

HOUSE BILL No. 1833

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-33-5.5.

Synopsis: Interrogation of suspects. Provides that if a law enforcement officer makes a false, material statement during an interrogation of a person suspected of committing a crime, any information provided by the person that is based on the false, material statement made by the law enforcement officer may not be admitted into evidence at a trial to prove the person committed the crime.

Effective: July 1, 1999.

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January 26, 1999, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1833

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-33-5.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1999]:

4 **Chapter 5.5. Interrogation of Suspects**

5 **Sec. 1. As used in this chapter, "interrogation" means:**

6 (1) the express questioning of a person who is:

7 (A) suspected of committing a crime; and

8 (B) subject to lawful detention;

9 by a law enforcement officer in a manner that the law
10 enforcement officer should know is reasonably likely to elicit
11 an incriminating response from the person; and

12 (2) any other words and actions used by a law enforcement
13 officer that the law enforcement officer should know are
14 reasonably likely to elicit an incriminating response from a
15 person who is:

16 (A) suspected of committing a crime; and

17 (B) subject to lawful detention.



1 **Sec. 2. A law enforcement officer may not make a false, material**
2 **statement knowing the statement to be false or not believing it to**
3 **be true during an interrogation.**

4 **Sec. 3. If a law enforcement officer makes a false, material**
5 **statement during an interrogation, any information:**

6 (1) provided by the person who is suspected of committing a
7 crime; and

8 (2) based on the false, material statement made by the law
9 enforcement officer;

10 **may not be admitted into evidence at a trial to prove the person**
11 **committed the crime.**

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